

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

BEEHIVE TELEPHONE COMPANY, INC.
BEEHIVE TELEPHONE, INC. NEVADA

Tariff F.C.C. No. 1

To: Chief, Competitive Pricing Division

CC Docket No. 98-108

Transmittal No. 11

MOTION FOR EXTENSION OF TIME

Beehive Telephone Company, Inc. and Beehive Telephone, Inc. Nevada (collectively "Beehive"), by their attorney, and pursuant to 47 C.F.R. § 1.46, hereby request that the deadline for Beehive to submit its direct case in the above-captioned proceeding be extended from October 21, 1998 to October 28, 1998. In support thereof, the following is respectfully submitted:

1. Beehive seeks a one-week extension of its direct case deadline in order to facilitate a possible meeting with the staff to discuss the issues in this proceeding. The additional time is necessary for Beehive to schedule a meeting with the staff and to arrange for its chief executive officer and its consultant and/or accountant to attend. The purposes of such meeting will be to permit Beehive to consult with the staff, provide relevant information, and explore possible resolutions of the issues raised in the investigation.

2. Beehive submits that the grant of this motion would serve the public interest by facilitating discussions that could lead to

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the expeditious resolution of this investigation and related cases, as well as the avoidance of future litigation. Thus, an extension of time could eliminate (or minimize) the need for the expenditure of further time and resources by Beehive and the Commission.

3. Even if discussions between Beehive and the staff do not resolve the issues, they should clarify or narrow the areas of the staff's concern. That should assist Beehive in preparing a direct case that specifically addresses those concerns. In any event, an extension of the filing deadline appears necessary inasmuch as the staff only clarified the issues by its letter of October 19, 1998. Hence, grant of this motion will insure that Beehive presents a direct case that should assist in the reasoned resolution of the investigation.

4. Beehive suggests that a one-week extension of the direct case deadline should not unduly burden the ability of the Commission to complete the investigation by its statutory deadline -- if such action proves necessary. The rates under investigation were effective July 1, 1998. Accordingly, the Commission's deadline is December 1, 1998. See 47 U.S.C. § 204(a)(2)(A). The Commission should be able to meet that deadline even if Beehive files its direct case on October 28, 1998.

5. On October 20, 1998, undersigned counsel notified the staff personnel responsible for acting on this motion that it would be filed today. He was also advised of the reasons for this


request.

6. In the event that this motion is denied, Beehive respectfully requests that it be afforded two business days from that action to submit its direct case. That limited extension of the filing deadline seems appropriate considering that this investigation is being conducted as a notice and comment rulemaking. See 47 C.F.R. § 1.46(b).

Good cause having been shown, Beehive requests the Commission to extend, until October 28, 1998, its time in which to file its direct case.

Respectfully submitted,

BEEHIVE TELEPHONE COMPANY, INC.
BEEHIVE TELEPHONE, INC. NEVADA

By 

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Their Attorney

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October 21, 1998

CERTIFICATE OF SERVICE

I, Paula L. Rogers, a secretary in the law offices of Lukas, Nace, Gutierrez & Sachs, Chartered, do hereby certify that I have on this 21st day of October, 1998, had a copy of the foregoing MOTION FOR EXTENSION OF TIME hand-delivered to the following:

Jon Stover, Esquire
Competitive Pricing Division
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N. W., Room 528C
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Paula L. Rogers